

United States Department of Agriculture.

SERVICE AND REGULATORY ANNOUNCEMENTS.

BUREAU OF CHEMISTRY.

SUPPLEMENT.

N. J. 11051-11100.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., February 2, 1923.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

11051. Adulteration and misbranding of feed. U. S. v. Milam-Morgan Co., Ltd., a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 14366. I. S. Nos. 126-r, 127-r, 615-r, 16586-r.)

On June 16, 1921, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Milam-Morgan Co., Ltd., a corporation, New Orleans, La., alleging shipment by said company in violation of the Food and Drugs Act, on or about January 2, February 3, and February 20, 1920, from the State of Louisiana into the State of Georgia, of quantities of horse and mule feed, a portion of which was misbranded and the remainder of which was adulterated and misbranded. A portion of the article was labeled in part: "Perfecto Horse And Mule Feed Manufactured By Milam-Morgan Co., Ltd. New Orleans." The remainder of the article was labeled in part: "Suwanee Horse And Mule Feed Manufactured By Milam-Morgan Co., Ltd. New Orleans, La."

Analyses, by the Bureau of Chemistry of this department, of samples of the article from each consignment showed that it contained less than 9 per cent of protein and, with the exception of one consignment of the Perfecto brand, more than 15 per cent of crude fiber. Two of the consignments of the Perfecto brand contained corn, oats, alfalfa, rice bran, with a possible excess of rice hulls, a little oat feed, delinted cottonseed hulls, possibly a trace of cottonseed meal, and peanut hulls. The remaining consignment of Perfecto brand contained alfalfa, corn, oats, rice bran, with a considerable amount of rice hulls, oat tissues, apparently from oat feed, and a small amount of cottonseed hulls; no cottonseed meal was found. The consignment of the Suwanee brand contained corn, oats, oat hulls, and oat starch, probably from oat feed, a little alfalfa, a trace of cottonseed meal, and rice bran, with hulls in excess of the amount which would normally be present in the rice bran used, and peanut hulls.

Adulteration of the article was alleged in the information for the reason that substances, to wit, peanut hulls, with respect to a portion of the Perfecto brand, and peanut hulls and rice hulls, with respect to the Suwanee brand, had been substituted in part for horse and mule feed containing alfalfa, cottonseed meal, oat feed (oat hulls, oat middlings, oat shorts), cane molasses, oats, rice bran, salt, and corn, which the said article purported to be.

Misbranding was alleged for the reason that the following statements, to wit, "Guaranteed Analysis. * * * Protein 9.00%," with respect to one consignment of the Perfecto brand, and the statements, to wit, "Guaranteed Analysis. * * * Protein 9.00% * * * Fibre 15.00%," with respect to the remainder

of the Perfecto brand and the Suwanee brand, together with the statements, to wit, "Containing Alfalfa, Cottonseed Meal, Oat Feed (Oat Hulls, Oat Middlings, Oat Shorts), Cane Molasses, Oats, Rice Bran, Salt, Corn," with respect to a portion of the Perfecto brand, and the statements, to wit, "Containing Alfalfa, Corn, Oats, Rice Bran, Oat Feed, (Oat Hulls, Oat Middlings, Oat Shorts), Cottonseed Meal, Molasses, Salt," with respect to the remainder of the Perfecto brand, and the statement, to wit, "Containing Corn, Oats, Alfalfa, Cottonseed Meal, Oat Feed, (Oat Hulls, Oat Middlings, Oat Shorts), Rice Bran, Molasses, Salt," with respect to the said Suwanee brand, borne on the tags attached to the sacks containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the article contained not less than 9 per cent of protein, that, with the exception of one consignment, it contained not more than 15 per cent of fiber, and that it was composed of the ingredients named on the said labels, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 9 per cent of protein, that, with the exception of one consignment, it contained not more than 15 per cent of fiber, and that it was composed of the ingredients named on the said labels, whereas, in truth and in fact, it contained less than 9 per cent of protein, it contained more than 15 per cent of fiber, with the exception of one consignment, and it was not composed of the ingredients named on the said labels, but a portion of the said article was composed in part of peanut hulls, a portion of the said article was composed of peanut hulls and rice hulls, and a portion of the article contained no cottonseed meal.

On December 5, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11052. Misbranding of Edgerton's salt brick. U. S. v. 2,550 Packages of Edgerton's Salt Brick. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14866. I. S. No. 3978-t. S. No. C-2886.)

On May 21, 1921, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2,550 packages of Edgerton's salt brick, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Edgerton Salt Brick Co., Goldsboro, N. C., on or about August 31, 1918, and transported from the State of North Carolina into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted largely of sodium chlorid, with smaller amounts of calcium sulphate, iron sulphate, magnesia, sulphur, nux vomica, and a trace of a nitrate.

Misbranding of the article was alleged in substance in the libel for the reason that the statement appearing on the package containing the said article, to wit, "Prevents Hog Cholera," regarding the curative and therapeutic effects of the said article, was false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On June 30, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11053. Adulteration and misbranding of dairy feed. U. S. v. Nutriline Milling Co., Ltd., a Corporation. Plea of guilty. Fine, \$250 and costs. (F. & D. No. 15258. I. S. No. 12780-t.)

On September 26, 1921, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Nutriline Milling Co., Ltd., a corporation, Crowley, La., alleging shipment by said company in violation of the Food and Drugs Act, on or about November 5, 1920, from the State of Louisiana into the State of Texas, of a quantity of